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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CARLO PONTA; YVONNE RIVELLI
PONTA; QUICK COLLECT, INC.;
RICHARD G. FAZIO; ERLINDA M. FAZIO;
OREGON DEPARTMENT OF REVENUE;
and CLACKAMAS COUNTY,

Defendants.

Case No. 3:19-cv-00757-SI

**ORDER APPROVING
JOINT MOTION FOR ENTRY OF
JUDGMENT**

Upon stipulation and motion of the parties, and for good cause shown, it is ORDERED as follows:

1. A separate judgment shall be entered in favor of the United States on its Complaint [Dkt. # 1] and in favor of Mr. and Mrs. Fazio on its Counterclaim [Dkt. # 7] against Mr. and Mrs. Ponta.

2. Mr. and Mrs. Ponta are indebted to the United States for unpaid federal income taxes, penalties, and interest for tax years 2000-2003, 2008-2012, and 2015-2016 in the amount

~~[Proposed]~~ Order Approving Joint Motion for Entry of Judgment

of \$312,806.56 as of April 14, 2019, plus statutory interest and other statutory additions as provided by law, which continue to accrue until paid in full, pursuant to 26 U.S.C. §§ 6601, 6621, and 6622 and 28 U.S.C. § 1961(c)(1).

3. The United States had valid federal tax liens for the unpaid assessments at issue in this action, the current balance of which is set forth in paragraph 2, against all property and rights to property belonging to Mr. and Mrs. Ponta.

4. The federal tax liens described in paragraph 3 attach to the real property located at 18701 SE 362nd Drive, Sandy, Oregon 97055 (the "Subject Property").

5. Mr. and Mrs. Fazio hold a Trust Deed, which was recorded against the Subject Property on October 21, 2011.

6. The Trust Deed described in paragraph 5 attaches to the Subject Property.

7. Mr. and Mrs. Ponta are indebted to Mr. and Mrs. Fazio on the Trust Deed in the amount of \$33,587.77 as of October 19, 2019, plus interest at the rate of 9.00% per annum thereafter.


8. The United States shall be entitled to foreclose its liens subject to the terms of the settlement among the parties and confirmation by the Court.

9. On or before August 31, 2020, the United States will file one of the following: a Notice of Satisfaction of Judgment, a Motion for Order of Sale of the Subject Property, or a Status Report providing the Court with an update on the status of this case.

10. The Court shall retain jurisdiction to enforce the terms of the settlement among the parties.

It is SO ORDERED.

Dated this 11th day of October, 2019.


UNITED STATES DISTRICT JUDGE
Michael H. Simon

Presented by:

RICHARD E. ZUCKERMAN
Principal Deputy Assistant Attorney General

/s/ Yael Bortnick

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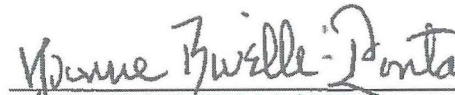
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/s/ Albert F. Schlotfeldt (by consent)

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